

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION**

AWEIS JAILANI, individually and on behalf of all others similarly situated, Plaintiff, v. QFS TRANSPORTATION, LLC, Defendant.	Case No.
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DEFENDANT QFS TRANSPORTATION, LLC’S NOTICE OF REMOVAL

Defendant QFS Transportation, LLC (“**QFS**”), hereby removes this case from the Dearborn Circuit Court for the State of Indiana to this Court. The factual and legal grounds supporting this Notice of Removal are described below.

1. Plaintiff Aweis Jailani (“**Plaintiff**”) filed his Class Action Complaint and Demand for Jury Trial (the “**Complaint**”) on February 4, 2020, in the Dearborn Circuit Court for the State of Indiana under Case No. 15C01-2002-PL-000013.

2. QFS’s registered agent received a copy of the Complaint and Summons by certified mail on February 10, 2020.

3. Count 1 of the Complaint alleges that QFS violated the Truth-in-Leasing Act, 49 CFR Part 376. Count 2 of the Complaint alleges that QFS breached its contract with Plaintiff. Count 3 of the Complaint alleges that QFS committed conversion. Count 4 of the Complaint alleges that QFS breached a fiduciary duty allegedly owed to Plaintiff.

4. Accordingly, this Court has original jurisdiction over this lawsuit because Count 1 arises under the laws of the United States. 28 U.S.C. § 1331.

5. This Court has supplemental jurisdiction over the claims asserted in Counts 2, 3, and 4 under 28 U.S.C. § 1367 because those claims are so related to the federal claim set forth in Count 1 that they form part of the same case or controversy.

6. This case is not among the actions made non-removable by 28 U.S.C. § 1445.

7. Venue is proper in this Court under 28 U.S.C. § 1441 because this case was filed in the Dearborn Circuit Court for the State of Indiana.

8. QFS has timely removed this case under 28 U.S.C. § 1446(b), because it has filed this Notice of Removal within 30 days after it received the Complaint and Summons.

9. After filing this Notice of Removal, QFS will promptly serve written notice of this Notice of Removal on Plaintiff and file the notice with the Clerk of the Dearborn Circuit Court for the State of Indiana, in accordance with 28 U.S.C. § 1446(d).

10. Attached to this Notice of Removal are: (1) the operative complaint; (2) the State Court Record that includes authentic copies of all process, pleadings, and orders filed; (3) the civil cover sheet.

11. By removing this case from the Dearborn Circuit Court, QFS does not waive any defenses available to it.

12. By removing this case from the Dearborn Circuit Court, QFS does not admit any of Plaintiff's allegations in the Complaint.

WHEREFORE, Defendant QFS Transportation, LLC, hereby gives notice that the state court action filed under Case No. 15C01-2002-PL-000013, now pending in the Dearborn Circuit Court for the State of Indiana, is removed to this Court for all further proceedings.

FROST BROWN TODD LLC

By: /s/Darren A. Craig

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CERTIFICATE OF SERVICE

I hereby certify that on March 4, 2020, a copy of the foregoing document was served by electronic mail and by first-class United States Mail, postage prepaid and properly addressed to:

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/s/Darren A. Craig

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